Southeast Maricopa / Northern Pinal County Area Transportation Study

Request for Proposals

Maricopa Association of Governments

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PUBLIC NOTICE

Southeast Maricopa / Northern Pinal County Area Transportation Study

The Maricopa Association of Governments (MAG) in cooperation with the Central Arizona Association of Governments (CAAG) and the Arizona Department of Transportation (ADOT) is requesting proposals for an area transportation study for the Southeast Maricopa / Northern Pinal County region, which includes Apache Junction, Chandler, Gilbert, Mesa, Queen Creek, and unincorporated portions of Maricopa and Pinal Counties. The specific study area will be finalized at the beginning of the project.

The study will be completed in a maximum of nine months at a cost not to exceed \$300,000. A copy of the RFP may be downloaded from "http://www.mag.maricopa.gov/Newpages/rfp.htm".

All proposals must be delivered by 1:30 p.m., Monday, August 6, 2001 to the MAG Office at 302 North First Avenue, Suite 300, Phoenix, Arizona, 85003. Opening of the proposals is scheduled for 2 p.m. in the second floor Ocotillo Room at the same address.

A pre-proposal conference will be held at 1:30 p.m. on Friday, July 13, 2001 in the Saguaro Room at the MAG Offices. Interviews if needed will be conducted in the same location on Friday, August 17, 2001.

For further information contact Chris Voigt or Roger Herzog at (602) 254-6300 or email cvoigt@mag.maricopa.gov.

SCOPE OF WORK

Southeast Maricopa / Northern Pinal County

Area Transportation Study

OVERVIEW

The Maricopa Association of Governments (MAG) is currently in the initial phase of a major initiative to develop a new Regional Transportation Plan (RTP) that will establish priorities and funding for major transportation improvements across the region. Sub-regional or area transportation studies are being initiated to provide background information and identify transportation investments for further analysis and consideration in the RTP process.

An area transportation study is needed for the Southeast Maricopa / Northern Pinal County area, which includes Apache Junction, Chandler, Gilbert, Mesa, Queen Creek, and unincorporated portions of Maricopa and Pinal Counties. This area is experiencing high growth resulting in increasing needs for new transportation infrastructure. In addition, Pinal County has recently completed a county-wide transportation plan and coordination with transportation planning in the MAG region is needed. The study area will be defined in detail in the initial stage of the project. The modeling area may include much if not all of Pinal County, to provide greater accuracy for the smaller study area.

Primary funding for the study is being provided by MAG with contributions by the Central Arizona Association of Governments (CAAG) and the Arizona Department of Transportation (ADOT). The study is being conducted in cooperation with CAAG and ADOT as well as the cities and counties within the study area.

The study will identify potential multi-modal transportation projects that reflect the specific conditions and concerns in the area. The identified needs and supporting background information from the study will help guide future transportation planning for the area. Within the Maricopa region, major projects that may be identified in the area study will later be assessed against competing regional projects as part of the RTP process that is currently underway.

Agency, public and stakeholder consultation will be a critical ongoing element of the area study. A comprehensive consultation plan therefore is needed. Consultation with local agency representatives, the public, and other major stakeholders will be needed to identify key issues relating to growth and transportation. Use of the internet for distributing project information and receiving feedback will be an essential feature of the consultation process. In keeping with federal

requirements, the consultation will proactively involve Title VI and Environmental Justice populations.

The study will review and update as needed socioeconomic and traffic growth projections for at least two alternative growth scenarios (e.g. trend versus higher growth), identify transportation issues to be addressed in the study, identify criteria consistent to the extent possible with the RTP process to be used in the evaluation of transportation investment alternatives, identify and evaluate alternatives for major transportation investments to address the identified issues, and to identify potential roadway, transit and other transportation mode improvements.

In addition to addressing area transportation issues, the studies will identify where the recommended improvements are consistent with current plans, and where changes to it would be necessary in order to implement study findings.

ISSUES

The issues to be addressed in the study will be the subject of consultation in early stages of the project, and will only be finalized after that consultation is completed. Specific issues identified by the local jurisdictions (Apache Junction, Chandler, Gilbert, Mesa, Maricopa County, Pinal County, and Queen Creek) in requesting this study include (not ranked):

- rapid population growth.
- need for planning to consider growth across County boundaries, covering Apache Junction, Chandler, Gilbert, Mesa, Maricopa County, Pinal County and Queen Creek.
- need for new transportation infrastructure, which, considering growth in neighboring jurisdictions, could include recommendations for additional capacity on the Santan Freeway, Superstition Freeway and arterial streets.
- need for an area study to be completed for input into any upcoming election on transportation funding.
- coordinated planning with the Central Arizona Association of Governments (CAAG).

Additionally, preliminary long term growth projections indicate a continued expansion of the urban area into Northern Pinal County. The study will make preliminary recommendations for taking into account growth in Pinal County.

Other specific issues identified or comments made by local agency representatives in later discussions include (not ranked or ordered):

Study Area:

The study area will be defined in detail in the initial stage of the study, after the consultant has gathered background information. In a scoping meeting with local agency representatives, the area boundaries tentatively identified included Superior, SR 79/US 89 on the east, Eloy/below I-8 on the

south, Maricopa County Boundary on the west, and the South Mountain freeway corridor /101L/Superstition Freeway Corridor on the north. The study area tentatively suggested includes nearly all of the Gila River Indian Community.

Pinal County later suggested that the study area within Pinal County be focused on the section north and west of Florence and Coolidge.

Process/Participation:

- A field tour for elected officials would be helpful to provide them an opportunity to provide input to the scope of work prior to the initiation of the study. The tour will be organized by Mesa and the Central Arizona Association of Governments. Invitees should include mayors, State Transportation Board members, including the west side representatives, and supervisors.
- Representatives of Florence, Coolidge, and Eloy should participate in the study.
- Involvement of the Gila River Indian Community will be needed.
- The Agency Forum concept and overall process was supported.

Technical Issues:

- Alternatives / relievers south of US 60 / Santan (east-west) are desired. A reliever or alternative route is also desired for US 60 in the Gold Canyon area.
- Added capacity to US 60 east to Superior is desired within 10 years. Adjacent surface street improvements are also desired.
- Alternatives / relievers for I-10 (north-south) are also needed. Extension of Maricopa Road (SR 347) south to connect to I-8 was noted as one option that could bring relatively large benefit at low cost.
- Added capacity for I-10 is desired, as addressed in the ADOT study just completed.
- Improvements to feeder routes for I-10 and US 60 are also important.
- Extension of Price Road south to connect to I-10 is one option that could be considered.
- Other growth corridors include Hunt Highway, SR 287 and SR 347.
- Substantial improvements are desired for Pinal County surface streets, many of which are unpaved currently.
- Rural transit needs are important to review. Dial-a-Ride / demand responsive transit is a key area.
- Expansion of the MAG transportation model to cover most or all of Pinal County is needed to model the large study area. Pinal County does not currently have modeling capability but can provide GIS-based socioeconomic data. Casa Grande is just completing a study that will provide some traffic data. Growth north from Tucson contributes to pressures in Pinal County south of Eloy.
- Williams Gateway Airport access to the Santan via Hawes interchange is an issue.
- A new passenger terminal serving 4 to 7 million passengers / year is planned.
- Use of the land being made available by the closure of the GM Proving Grounds (near the Airport) is an issue. Mesa is already working with GM to develop plans for primary arterials

for the area, which is slated for residential (12-15 thousand homes) and commercial development.

- Improvements to the Hawes Road interchange were suggested to link to a parkway along Williams Field Road to serve the proving grounds area and beyond, perhaps to Pinal County and possibly Gold Canyon. ADOT noted that 30% design plans for all system traffic interchanges are scheduled for completed by the end of the year.
- Mesa suggested that its design be such that it allows to the extent possible future improvements.
- Rapid development south and east of the Queen Creek is an issue. Johnson Ranch is already being built. A high capacity north-south route is desired in this area (Ironwood).
- Commercial development and possibly some light industrial is included. Mostly or many are "empty-nesters", with relatively fewer retirees or younger families. Extensive new development is being planned outside of Queen Creek in Pinal County.
- With the current lack of north-south connections, travel may funnel through Queen Creek.
- Prison employees account for high usage of vanpools in Florence. Expansions to prisons are expected.
- Truck traffic impacts are a concern. There are several quarries in the Northern Pinal area. Typical destinations are Mesa, Apache Junction and Gold Canyon.
- Casa Grande has 35 thousand units approved. They are trying to maintain a balanced age cohort distribution. They already have a thousand acre master planned community that is or will be age-restricted.
- Consistent participation by the development community is providing an adequate transportation system is important.

Funding:

- Planning effort needed for region even if funding has to be phased in over time.
- Possible funding sources for the recommended projects should be addressed in the study.
- The Pinal County sales tax sunsets in January 2007. An extension will be sought for
- future transportation improvements, with any new funds to be shared with the municipalities.

General Issues

As noted above, the local jurisdictions requesting the studies have identified some specific issues to be addressed. Other possible issues are noted below, in no particular order. The issues to be addressed in the study will be a part of the consultant proposal and be the subject of consultation in early stages of the project, and will only be finalized after that consultation is completed.

- Major Access Controlled Facilities: Needs for added capacity for freeways, expressways and parkways should be addressed in the study.
- Arterial Grid: Needs and issues are to be identified in the course of the study. Continuity
 of the arterial grid system across jurisdictions, "scalloped" streets, and access control issues
 should be addressed.

- Transit: Local bus, express bus, and rail needs and integration with the regional system should be addressed. Both fixed route and demand responsive (e.g. dial-a-ride) needs should be considered. Shared right of way use may be considered. Park and ride needs including access to regional roads should be addressed. Cost-effective alternatives should be considered.
- Goods Movement: Transport within and through the area should be addressed. The need for any truck routes or policies should be specifically addressed.
- Surface transportation needs for any airports should be addressed, but the air traffic or other operational requirements of the airport itself are not part of the study.
- Utility Coordination Needs and issues affecting transportation corridors must be addressed.
- Intelligent Transportation Systems (ITS): Needs and issues for all modes should be addressed.
- Bike and Pedestrian Facilities. Needs and issues, including possibly design criteria, should be addressed.
- Access Control: Needs and issues along major transportation facilities need to be addressed. Recommendations for access control policies may be made.
- Right of Way Protection: The study should address any potential needs for right of way protection for new or expanded transportation corridors or facilities, including interchanges and potential transit corridorneeds. Early acquisition opportunities to reduce long term costs should be identified.
- Safety: Analyze accident data on specific roadway segments and intersections. Make recommendations as appropriate to improve safety on regional transportation facilities.
- Economic Factors: As part of a cost-benefit assessment, economic factors should be addressed. These factors should also be considered in any recommendations.
- Costs: Funds are always limited, so costs should be evaluated. Both capital and operating and maintenance costs should be considered. Cost-benefit assessments should be prepared for each alternative set of recommendations for improvements.
- Staging: Opportunities to stage critical improvements that fit into a long-term concept and provide needed flexibility for funding should be addressed.
- Land Use: Transportation-related issues should be addressed.
- Environmental Issues. Needs and issues satisfying all applicable local, state and federal requirements should be addressed. Major visual issues including general landscaping issues and other aesthetic considerations should be addressed.
- Neighborhood Impacts. Protection of neighborhoods is an important issue. Safety, noise and aesthetics that may be associated with some major transportation projects should be considered. Special needs such as elderly mobility should be considered, e.g. elderly mobility zones.
- Downtown activity centers should be addressed. However, local community identity should be maintained. Local issues should be left to the local jurisdictions to address, although they may be commented on where warranted.
- Consideration and integration as appropriate of recommendations or concepts from relevant regional, area and corridor studies.

WORK TASKS

The project can be broken down into three phases: (1) review of existing conditions and trends, and identification of future transportation demand and issues, (2) develop and evaluate transportation improvement or investment options, and (3) select and refine a preferred option for consideration. Recommended projects within the MAG region will be input into the MAG RTP process. Agency, public and other stakeholder consultation is a key consideration and will occur throughout the project.

Project deliverables include working papers for each major task, draft and final reports, and an electronic database. Extensive use of geographic information systems (GIS) for mapping of project findings is required. All transportation system and related data, unless specifically excluded in the contract, that are developed or assembled for this project should be mapped and provided electronically in agreed standard database or GIS format.

Specific tasks are outlined below.

Task One: Revise Scope of Work

The proposals are expected to include a detailed work plan and schedule for the project. However, changes may still be needed at the start of the project, following a field tour and kickoff Forum. Changes may also be needed in the course of the study.

The definition of the study area should be addressed in this task. Note the area for which transportation modeling will be conducted may be larger than that for which recommendations for new transportation infrastructure will be made, and may include all of Pinal County. The larger modeling area helps to increase the accuracy of the analyses for the smaller study area.

The first task is therefore to update the scope of work and adjust the workplans as needed. The budget for this task should also allow for additional changes to the scope or workplan as needed to be made in the course of the project.

Task Two: Consultation

The goal of this task is to develop consensus among stakeholders that the study was thorough, addressed their needs and concerns, provides a vision for the area and results in a plan of investments for the area that can be implemented. For this purpose, a detailed agency, public and stakeholder consultation plan will be prepared at the start of this project for review and approval by the Project Manager. The following outlines requirements for that plan.

The agency, public and stakeholder consultation plan will be closely linked with current regional processes and, as appropriate, local jurisdictional consultation processes. The list of stakeholders

should include both private and public interests. In addition to general consultation, the plan will address input needed for specific project work tasks, such as the Major Issues Task. After the consultation plan including the mailing lists have been approved by the Project Manager, the consultant will implement the plan.

This task will include:

- development of a consultation schedule;
- development of agency, public and stakeholder involvement techniques, including possibly surveys, and mailing lists that provide needed input to specific tasks to the project as well as general feedback, and including means for involving any key stakeholders that may be limited in their ability to participate otherwise;
- event and Forum notification (newsletters, paid display advertisements in newspapers, media coverage, direct mailings, etc.);
- Forum and meeting presentation materials, displays and notes; and the
- analysis and reporting of results

The analysis and reporting of results will consider the interests of all residents of the region that may be affected by the study recommendations. The consultation plan will therefore be designed to inform and obtain representative input from all affected residents.

Extensive use of a state-of-the-art project website to distribute materials such as maps, working papers, Forum or meeting materials and surveys as well as to received feedback is essential.

Title VI and Environmental Justice populations should be proactively consulted, without limiting the consultation or consideration of the remaining population.

Task Three: Regional Plan Coordination

Coordination of this area study with regional planning processes and as appropriate other background or area studies is critical¹. The objective of this coordination is primarily to ensure that the direction of this area study remains consistent with that of the regional processes. Two key sub-tasks have been identified for this coordination effort: documentation of related studies, plans and programs, and coordination and collaboration on the regional processes.

Sub-task 3(a): Document Related Studies, Plans and Programs

Coordination with and recommendation for integration of concepts or policy recommendations from other related regional, area, corridor studies and programs is required. A key initial step therefore in this coordination process will be the documentation of existing and ongoing related studies, plans

Background information including scopes of work for related studies may be available on the MAG web page, located at www.mag.maricopa.gov.

and programs and their key findings or implications for this area study and the regional planning processes.

The identification and acquisition of all relevant studies, plans and programs for this project will be the responsibility of the consultant. These other studies includes MAG studies, plans and programs as well as those from local or other agencies.

In general, document existing studies, plans and programs and their respective findings or implications for all modes. Previous, ongoing or planned area, corridor, multimodal, socioeconomic, and environmental studies should be considered. Include studies, plans, and programs for roadways, transit facilities and service, and other modes or related options including bicycle, pedestrian, work at home, and demand management.

Additionally, develop functional roadway classification, transit service, and alternative mode facility maps for the existing and planned systems. Aerial photos may be used to augment the maps.

Sub-task 3(b): Regional Transportation Plan Coordination and Collaboration

A detailed coordination plan will be prepared at the start of this project for review and approval by the Project Manager. The coordination plan will detail the coordination and collaboration activities with the current regional planning processes, including its background area studies, the development of the State Transportation Plan, and local agencies / plans. The plan will also address other related studies, plans and programs identified and reviewed in the documentation sub-task above.

In addition to general coordination, the plan will coordinate specific project work tasks such as the Major Issues Task with the MAG RTP process. Coordination of the review of input received from the consultation process is also required. After the coordination plan has been approved by the Project Manager, the consultant will implement the plan.

A key element of the coordination with the RTP process will be participation by the consultant in meetings conducted by MAG with its other contractors to assess transportation concepts for potentially broad or broader application across the region in the RTP. By collaborating in the area studies, it is anticipated that the consultants will be able to identify and recommend potential concepts for broad application across the region.

Task Four: Document Current and Projected Socioeconomic Conditions

Socioeconomic data for the study area should be obtained, reviewed, updated as needed, and documented and otherwise prepared for later use in study tasks. This should be done for both the general population as well as the required environmental justice and Title VI populations.

Sub-task 4(a): General Socioeconomic Data

Current Department of Economic Security (DES) socioeconomic data will be documented. Additionally, data from the 2000 census will be obtained and used to develop a current data set, to the extent feasible.

Alternative growth projections will be developed and contrasted. The projections will be used in later analyses of future transportation demand. It is important that both moderate and high growth scenarios be explored. The specific years by which the population targets are reached is secondary to the growth totals for the purposes of this analysis. The projections could be based on an allocation of specific total population and employment targets within the study area, or may rely on an estimate of percentage completion of build out scenarios for the local communities within the area.

At least three separate forecast scenarios may be needed:

- (1) moderate growth, which may be based on current plan or trend (which is itself based on DES county control totals),
- (2) alternative higher growth, and
- (3) Build Out conditions.

Additional scenarios may be considered. For example, consultation with business and development interests may result in suggestions for alternative forecasts to be explored. Sensitivity analysis may also be conducted.

The selection of projections should consider and allow for the transportation model exercise in the next task. Consistency and coordination with the development of projections for the MAG RTP may be needed. Map all of the data into an agreed standard GIS format.

Sub-Task 4(b): Evaluate Environmental Justice and Title VI

In keeping with federal and state requirements, environmental justice and Title VI named population groups within the study area will be identified in this task for later consideration in this study in the evaluation of transportation improvement options. This consideration will not limit the consultation or consideration of other populations.

Comparisons of the population in the study area of the named groups, and any other groups as appropriate, to regional averages will be made to identify relatively high areas of concentration of these named populations. Separate GIS-based maps presenting the results of the analysis for each population group will be prepared.

Compliance with all applicable federal, state and local requirements for this analysis, including to the extent feasible those contained in draft regulations currently undergoing public review, will be demonstrated.

Task Five: Document Current and Projected Transportation Facilities and Conditions.

Document current and future transportation facilities and demand for each mode for each of the growth scenarios (except build out) defined in the previous task. Develop and implement a data collection plan, such as roadway counts and turning movements, if needed to support the modeling activities for this study.

Modeling for the study will be conducted by MAG staff. However, all model preparation needed for the study including socioeconomic data, trip generation files and coding of build networks will be developed by the consultant and subject to approval by MAG staff.

One forecast scenario should be based on the existing Long Range Transportation Plans, and not include new projects to be identified in later tasks in this study. Build scenarios that include new projects identified in the course of this study will be specified in later tasks.

Document existing and expected deficiencies existing and planned road, transit and other modal transportation systems. Needs may include joint use or joint development opportunities for transportation system investments.

The review of deficiencies should including level of service, roadway capacity, transit service, intermodal linkages, bicycle and pedestrian facilities, established design standards, and safety. For the latter, review and analyze accident data to identify potential safety issues to be addressed in later stages of the study.

Key data subject to approval by the Project Manager should be mapped in an agreed standard GIS format.

Task Six: Identify Major Transportation Issues

Major transportation issues for the study area will be identified and prioritized for the purposes of this study in this task. In the next task, options for transportation investments will be developed to address the issues identified and ranked in this task.

This task will build upon the reviews and socioeconomic and transportation projections developed in previous tasks, feedback received, and the technical input of the consultants. Public, agency and stakeholder consultation will be a key element of this task. Interviews or surveys with key agency officials and staff will be conducted prior to an agency and stakeholder workshop to be held to review the draft Major Issues working paper to be prepared for this task.

The consideration of the relative priority of the issues within the study area should also consider the appropriate time-frames for solutions. Opportunities for staged or phased construction of recommended options therefore need to be considered, in order to better position any proposed projects to compete for available funding. The issues therefore should be categorized as near (for the five-year program), mid- (to fifteen years) or long-term (up to twenty years, or more).

Specific evaluation criteria or performance measures may also be recommended for application in the next project task in which alternatives for transportation improvements for roads, transit and alternative modes will be developed and evaluated. These criteria would supplement any other criteria that would be specified in that task.

Task Seven: Develop and Evaluate Options

Develop and evaluate options for roadway, transit and alternative mode investments, with the goal of reaching a consensus and selecting preferred near and long term improvement concepts for the area. The options will include a no-build alternative as well as several build alternatives (no less than three) that address the issues identified in the previous phase of the study.

The evaluation and prioritization of projects comprising each improvement option should be conducted using standard criteria that, for projects within the MAG region, are consistent with those established or reasonably expected to be considered for the RTP. The choice and application (weighting and/or sequencing) of the criteria are subject to review and approval by the Project Manager before being applied in any evaluations of options for this study.

The options may be evaluated first based on key criteria, to establish general feasibility. These would focus on potential fatal flaw issues, and may include costs, acceptability to local jurisdictions, environmental issues, previous decisions and commitments, right-of-way needs, and other criteria or performance standards as agreed. Options with high feasibility will be short-listed for further consideration. Modeling may or may not be needed for this initial review.

The short-listed options will then be evaluated in detail. The criteria may include those from the initial evaluation, refined as needed, as well as: demand, level of service, cost (refined estimates for capital, operation, and maintenance costs), cost-effectiveness, economic factors and quality of life, environmental impacts, community impacts, modal choices, service to the under served, feedback received in consultation, safety, and consistency with regional plans. All short-listed options will be modeled. All applicable local, state and federal requirements should be met in this study, requiring that the federal and related environmental justice and Title VI requirements be key criteria.

The options are expected to consist of a mix of roadway, transit and other alternative mode investments. Each option will address the freeway system; arterial networks; transit facilities, area of coverage and service levels; and bicycle and pedestrian facility networks. Key issues such as access control (including frequency of signalized intersections) and noise mitigation may also be addressed. Other related issues, such as neighborhood traffic control, pedestrian friendly design and

parking controls/restrictions, and special population needs such as elderly mobility may also be discussed for each option but are not a focus of this study. Coordination with regional and local transportation and related plans, including alternative mode plans, is essential.

The roadway options should consider:

- Free way, arterial or other roadway capacity needs, including new capacity, connectivity, and arterial grid continuity.
- Intersection needs
- Access control
- Intelligent Transportation System (ITS) Applications, including synchronized signalization.
- Goods Movement
- Intermodal connections
- Major Drainage Requirements
- Visual Impacts Landscaping, Aesthetics, Scenic Corridors
- Right of Way Needs Potential cost savings through early acquisition. Right of way protection is important for road and transit corridors, including traffic interchanges.

The transit options should consider:

- Fixed-guideway transit
- Right of Way Needs. Potential cost savings through early acquisition.
- Express bus service
- Local bus service (major routes)
- ITS applications
- Intermodal links, including transit centers and park and ride lots. Integration with the regional system.
- Other cost-effective alternatives, such as vouchers for taxis.

The other alternative mode options should consider:

- Pedestrian
- Bike and roller-blade
- Localized issues, such as golf cart access.
- Multimodal aspects of road and transit facilities.
- Right of Way Needs. Potential cost savings through early acquisition.
- Telecommuting, including telework centers
- Potential ITS applications

In general, extensive use of graphics presenting the options is expected. Roadway cross-sections will be needed. Additionally, schematics or maps will also be needed for public presentation purposes that show key features of the options, such as alignment and number / length of lanes for new or

improved roadway facilities, or alignments for new transit facilities. The results of the evaluations should be summarized in an matrix.

The evaluation will result in the selection of a recommended or preferred option for the area. The recommended option may be one of the options considered or a combination of options. The recommended option will be modeled and costs estimated. Staging or phasing of the design, right of way acquisition and construction of proposed transportation improvement projects or investments should be addressed in detail. The benefits of the recommended or preferred option will be summarized.

The regional context for the proposed improvements or set of improvements should also be addressed, specifically noting where any improvements would require changes to the regional plan or its policies or priorities. The goals and policies developed in this task should reflect these considerations.

Task Eight: Detailed Recommendations

Develop a detailed list of study area or sub-regional priorities for multimodal transportation investments, which, for the MAG region, will be reviewed and evaluated as part of the RTP process. Refine the staging or phasing of implementation of improvements or investments, and develop corresponding cost estimates. A table showing the recommended project phases, costs and priorities, along with suggested funding responsibilities (local, county, regional, and state), will be developed.

The recommended improvements will be overlaid on aerial photographs. The design will include proposed facility additions or other improvements, transit facility and service additions or other improvements, major drainage facilities, areas of right-of-way acquisition, access control measures, bicycle/pedestrian facilities, and other key features as specified in the course of the study.

Develop a summary document to be widely distributed that makes use of high quality graphics and maps to present the study process including consultation, alternatives considered, recommendations and underlying bases for the recommendations, costs and project priorities and next steps including input for the MAG region into the RTP process.

Update the evaluation data for the recommended projects as needed for the regional planning processes. To the extent feasible, for MAG region projects, collect and prepare as needed any additional data known to be needed for the RTP. Include these data in the project database and transmit them to the MAG RTP project and respond to any initial inquiries on the data and methodologies from the RTP project.

Task Nine: Prepare Final Report

From the working papers prepared for each task, the final report will be developed. The final report will not be a simple compilation of working papers, but will be edited as needed for quality control,

requested revisions, and consistency in presentation, content, detail, graphics, writing style and general readability.

Each working paper and the final report should have an executive summary that is reasonably comprehensive and written for a general audience. The draft final report will undergo the review process specified below before official agency approval.

DELIVERABLES:

A working paper will be prepared for each task. Each working paper will undergo a review process and be approved by the Project Manager before being incorporated in whole or in part in the final report. The review or approval process is specified below. The process will include feedback from consultation at Forums as well as staff review.

Electronic and paper copies are required of all deliverables. Electronic formats required are original format (Corel or Microsoft Office document, standard database or GIS format, or other format as agreed), as well as Adobe Acrobat Portable Document Format (PDF) files. All documents should be suitable for wide distribution. All data, unless specifically excluded in the contract, developed or assembled for this project should be mapped and provided electronically in agreed standard database or GIS format.

A major project deliverable will be an area transportation database that contains transportation-related information developed for this project as well as regional data, such as data on regional land use, freeways, arterial network, and transit services. The database will be a deliverable for later use with regional GIS applications, and should be designed to be compatible for this purpose. Ideally, a new GIS database and application will be developed by this project.

Potential elements of the database include, for current and future years: aerial photos, transit facilities and service levels, roadway number of lanes, average daily traffic, costs (separately for capital, operating, maintenance, and further subcategories, calculated using other data maintained in the database such as pavement and structure conditions), bridges and other major structures, signalized intersections, socioeconomic and land use data, right of way, adjacent land ownership, roadway or facility ownership, ITS implementation, drainage, environmental data, accidents, transit services and ridership, bikeways and trails, pedestrian level of service, intermodal facilities, goods movement facilities including terminals and other common destinations, programmed and planned improvements, and other data to be established in the course of the study.

The project website to be used for distributing project information and receiving comments will be a deliverable. MAG may host the website or be linked to one established by the project. All external links will be subject to approval by the Project Manager before being implemented. All electronic files including computer code developed for this project or used for the website will be a deliverable to MAG.

Written Deliverables by Task:

- 1. TASK ONE: Revised Scope of Work
- 2. TASK TWO: Consultation Plan. Presentation materials, minutes/notes, project website.
- 3. TASK THREE:
 - (a) Working Paper #1 Related Studies and Plans
 - (b) Coordination Plan. Presentation Materials, minutes/notes.
- 4. TASK FOUR: Working paper # 2 Current and Projected Socioeconomic Conditions
- 5. TASK FIVE: Working paper # 3 Current and Projected Transportation Facilities and Conditions
- 6. TASK SIX: Working paper # 4 Major Transportation Issues
- 7. TASK SEVEN: Working paper # 5 Identification and Evaluation of Options
- 8. TASK EIGHT: Working paper # 6 Detailed Recommendations
- 9. TASK NINE: Working paper # 7 Final report with executive summary. (100 Executive Summaries, 50 final reports, and 200 copies of the CD-ROM(s) containing the report and other project materials such as the GIS data and files, and the project website, with a easy to navigate table of contents page that provides direct links to key sections of project documents).

REVIEW PROCESS:

Each draft working paper, report or other deliverable will be delivered for initial review. Once the initial draft has been revised to the satisfaction of the Project Manager, it will be presented for review at a Project Forum and other public meetings. A second revised draft will be delivered after considering feedback obtained at the Forum and other public meetings.

Quality control and timeliness are key requirements in limiting the amount of review time and number of revisions needed. Drafts delivered late or with significant quality control problems may result in the cancellation of planned Forums or meetings, at the expense of the consultant.

PROPOSAL REQUIREMENTS

PROJECT COST AND SCHEDULE

The notice to proceed is anticipated to be in October 2001. A complete draft of this project report shall be submitted no later than nine months after the date of the notice to proceed and should be completed at the earliest opportunity for input to the MAG RTP. The total cost of this project including profit and all applicable fees, expenses and taxes is not to exceed \$300,000.

PROPOSAL DELIVERY

1. Ten(10) bound copies of the proposal plus one print-ready copy suitable for photocopying must be submitted by 1:30 p.m. (MST) on Monday, August 6, 2001 to:

Chris Voigt, Senior Engineer Maricopa Association of Governments 302 North 1st Avenue, Third Floor Phoenix, Arizona 85003

Timely receipt of proposals will be determined by the date and time the proposal is received at the above address. Hand delivery is therefore encouraged. No facsimile or electronic submissions will be accepted.

All material submitted in response to this solicitation becomes the property of MAG and will not be returned.

The Proposals will be opened publicly and the name of each proposer will be read at 2:00 p.m. (MST) on Monday, August 6, 2001 at the MAG Offices, Suite 200, Ocotillo Room, 302 North 1st Avenue, Phoenix, Arizona 85003.

- 2. Any questions regarding this Request for Proposals should be directed to the MAG Project Manager, Chris Voigt, at MAG, 302 North 1st Avenue, Suite 300, Phoenix, Arizona 85003. The Project Manager may be contacted by telephone, at (602) 254-6300; by fax, at (602) 254-6490; or by email, at cvoigt@mag.maricopa.gov. Additional information regarding MAG activities, including Committee meeting schedules, may be found on the MAG web site (http://www.mag.maricopa.gov).
- 3. A pre-proposal conference has been scheduled for 1:30 p.m. Phoenix time on Friday, July 13, 2001 at the MAG Office, Suite 200, Saguaro Room, 302 North 1st Avenue, Phoenix, Arizona.

PROPOSAL CONTENT

It is required that the proposal:

- 1. Be limited to a maximum length of fifty (50) pages, including cover letter, résumés, and appendices.
- 2. Be prefaced by a brief statement describing the proposer's organization and outlining its approach to completing the work required by this solicitation. This statement should illustrate the proposer's overall understanding of the project. It should also note any exceptions to the scope of work as defined by this RFP; in the absence of any such specific exceptions noted in the proposal, the deliverables for the project shall be at a minimum all of those specified in this RFP plus any additional deliverables specified in the proposal.
- 3. Contain a work plan that concisely explains how the consultant will carry out the objectives of the project. In the work plan, the proposer should describe each project task and proposed approach to the task as clearly and thoroughly as possible. The approach for handling contingencies including controlling costs should also be noted.
- 4. Include a preliminary schedule for the project in bar-chart format. Indicate all work plan tasks and their durations.
- 5. Contain a staffing plan for the project. The plan should include the following in table format:
 - a. A project organization chart, identifying the consultant project manager.
 - b. Names of key project team members and/or sub-consultants. Only those personnel who will be working directly on the project should be cited.
 - c. The role and responsibility of each team member.
 - d. Person-hours spent by each team member and by support personnel on each task identified in the work plan, including a total for professional hours.
 - e. Hourly rate for each team member and total cost attributable to each staff member and task.
 - f. Percent effort (time) of each team member for the contract period.
 - g. The role and level of MAG technical staff support, if any support is required.
 - h. A labor cost allocation budget, formatted as presented in the attachment.
- 6. Include résumés for major staff members assigned to the project. These résumés should focus on their experience in this type of project.
- 7. Include proposer's recent experience (last five years) in performing work similar to that anticipated herein. This description shall include the following:
 - a. Date of project.
 - b. Name and address of client organization.

- c. Name and telephone number of individual in the client organization who is familiar with the project.
- d. The role played by your firm in the project (lead or subcontractor?).
- e. Short description of project, the part of the project for which your company was responsible, and the percentage of the total project that work constituted.
- f. The names of the primary staff members who worked on the project and whether they are still affiliated with your firm.

Note additional requirements are specified in the section entitled "Regulatory Requirements" and in the appendices.

PROPOSAL EVALUATION AND SELECTION PROCESS

- 1. All proposals will be evaluated by MAG staff and an evaluation group, with the final recommendation to the MAG Regional Council for award of the contract to be made by the MAG Executive Director. Evaluation criteria include, but are not limited to:
 - a. Well-defined work plan consistent with program objectives.
 - b. Clarity of proposal, realistic approach, technical soundness, and enhancements to elements outlined in this Request for Proposals.
 - c. Education and relevant experience of personnel in similar studies. Only those personnel assigned to work directly on the project should be cited.
 - d. Proven track record in this area of study. Proposers should identify the principal people who worked on past projects and the amount of time they devoted to the work effort.
 - e. Availability of key personnel throughout the project effort. Adequate resources to handle a project of this scope.
 - f. Ability and commitment to complete the project within the specified time period, meet all deadlines for submitting associated work products, and ensure quality control.
 - g. Recognition of work priorities and flexibility to deal with change and contingencies.
 - h. Cost and cost-effectiveness
- 2. Following a review of the proposals, selected firms submitting proposals <u>may</u> be interviewed prior to the selection of a consultant. If interviews are considered necessary, they will be conducted on August 17, 2001 at Suite 200, MAG Office, 302 North 1st Avenue, Phoenix, Arizona 85003. The firms selected for interviews will be contacted one week prior to the date of the interview, and MAG requires that the consultant project manager participate in the interview.
- 3. The maximum estimated time required to complete the draft report for this project is nine months.

REGULATORY REQUIREMENTS

- 1. An audit examination of the CONSULTANT'S records may be required.
- 2. During the course of the project, a monthly progress report must be submitted within ten (10) working days after the end of each month until the final report is submitted. Each report should include a comprehensive narrative of the activities performed during the month, an estimated percent complete for each project task, monthly and cumulative costs by task, activities of and payments to subcontractors, a discussion of any notable issues or problems being addressed, and a discussion of anticipated activities for the next month.
- 3. Each firm submitting a proposal is required to certify that it will comply with, in all respects, the rules of professional conduct set forth in A.C.R.R. R4-30-301 (see Appendix B), which is the official compilation of Administrative Rules and Regulations for the State of Arizona.
- 4. Each firm must document within its proposal any potential conflicts of interest. A conflict of interest shall be cause for disqualifying a CONSULTANT from consideration or terminating a contract if the conflict should occur after the contract is made. A potential conflict of interest includes, but is not limited to:
 - a. Accepting an assignment where duty to the client would conflict with the CONSULTANT'S personal interest, or interest of another client.
 - b. Performing work for a client or having an interest, which conflicts with this contract.
 - c. Employing personnel, who worked for MAG or one of its member agencies within the past three years.

MAG will be the final determining body as to whether a conflict of interest exists.

- 5. The firm that is selected will be required to comply with Titles VI and VII of the Civil Rights Act of 1964. The contractor will comply with Executive Order 11246, entitled Equal Employment Opportunity, as amended by Executive Order 11375 and as supplemented in Department of Labor Regulations (41 CFR Part 60). The contractor will also be required to comply with all applicable laws and regulations of the U.S. Department of Transportation.
- 6. The Maricopa Association of Governments reserves the right to:
 - a. Cancel this solicitation.
 - b. Reject any and all proposals and re-advertise.
 - c. Select the proposal that, in its judgement, will best meet its needs.

- d. Negotiate a contract that covers selected parts of a proposal, or a contract that will be interrupted for a period or terminated for lack of funds.
- 7. The Disadvantaged Business Enterprise (DBE) requirements in the Code of Federal Regulations Title 49, Part 26 will apply to this Contract. See the Appendix C, "MAG's Key DBE Regulatory Requirements". A complete copy of MAG's DBE program is available on request.

The DBE goal for this contract is 11 percent, and the DBE must be certified by the Arizona Department of Transportation or the City of Phoenix prior to award of a contract. It is important to emphasize that the process for obtaining certification by one of these two agencies may take 60 days or more. List of acceptable DBE's can be obtained by calling the City of Phoenix at 602-262-6790 or the Arizona Department of Transportation at 602-255-7761. The consultant will report monthly regarding the utilization of DBE's.

The consultant recommended for the project is required to provide a written statement documenting good faith efforts to meet the goal, if it has not been met. Examples of good faith efforts are found an Appendix A of Part 26 in Title 49 of the Code of Federal Regulations.

If the successful consultant fails to meet the requirements noted above, MAG will provide the consultant an opportunity for administrative reconsideration prior to awarding a contract. Based on evidence submitted, through the MAG DBE Liaison Officer (MAGDBELO) to the MAG Assistant Director, a written determination will be made as to whether or not the proposer met the goal (or made an adequate good faith effort to meet the goal).

MAG will also include in prime contracts with DBE goal, a provision stating that contractors shall not terminate a subcontractor for convenience and then perform the work of the terminated contractor with its own forces, or that of an affiliate without the prior written consent of the MAG DBELO. Where a Prime Contractor does terminate a subcontractor, or when a subcontractor fails to complete its work for any reason, the Prime Contractor will be required to make good faith efforts to find another DBE subcontractor to substitute for the original DBE.

8. The CONSULTANT selected to undertake the project will be required to have appropriate insurance coverage, including: commercial liability, automobile liability, workmen's compensation, property, and professional liability.

APPENDIX A

SAMPLE LABOR COST ALLOCATION BUDGET FORMAT

- 22 - COSTS AND HOURS BY TASK

| CONSULTANTS | | | | | | | | | | | |
|---------------------------|--------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|------------|
| Person | Direct Labor Hourly Rate | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | Total Hours | Total Cost |
| (NAME) | \$0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | \$00.00 |
| (NAME) | \$0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | \$00.00 |
| (NAME) | \$0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | \$00.00 |
| (NAME) | \$0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | \$00.00 |
| Total Hours Total Cost | | 0.00 \$0.00 | \$00.00 |
| Hours Inception to Date | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | |

| REIMBURSABLE EXPENSES EXPENSES BY TASK | | | | | | | | | |
|--|--------|--------|--------|--------|--------|--------|--------|--------|------------|
| Description | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | Total Cost |
| Postage | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Photocopy/Printing | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Travel | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Telephone | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Miscellaneous | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Aerial Photos | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Total Reimburs able Expenses | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |

| SUBCONTRACTORS | | | | F | IOURS BY T | ASK | | | | | |
|-------------------------|-------------|--------|--------|--------|------------|--------|--------|--------|--------|----------------|------------|
| Person | Hourly Rate | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | Total Hours | Total Cost |
| (NAME) | \$0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | \$0.00 |
| (NAME) | \$0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | \$0.00 |
| Total Hours | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | \$0.00 |
| Total Cost | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| Hours Inception to Date | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | |

| GRAND TOTAL TOTAL COSTS BY TASK | | | | | | | | | | |
|---------------------------------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Description | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | Total |
| Consultant Cost | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Consultant Overhead@ | 1.80 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Reimbursable Expenses | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Subcontractors | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Sub-Total | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Fee@ | 0.10 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| GRAND TOTAL | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |

APPENDIX B

ARIZONA ADMINISTRATIVE CODE R4-30-301

ARTICLE 3. REGULATORY PROVISION

R4-30-301. Rules of professional conduct:

- A. All registrants shall comply substantially with the following standards of professional conduct:
 - 1. A registrant shall not submit any materially false statements or fail to disclose any material facts requested in connection with his application for certification.
 - 2. A registrant shall not engage in fraud, deceit, misrepresentation, or concealment of material facts in advertising, soliciting, or providing professional services to members of the public.
 - 3. A registrant shall not knowingly sign, stamp, or seal any plans, drawings, blueprints, land surveys, reports, specifications, or other documents not prepared by the registrant or his bona fide employee.
 - 4. A registrant shall not knowingly commit bribery of a public servant as proscribed in A.R.S. 13-2602, or knowingly commit commercial bribery as proscribed in A.R.S. 13-2605, or violate any Federal statute concerning bribery.
 - 5. A registrant shall comply with all Federal, State, and local building, fire, safety, real estate, and mining codes, and any other laws, codes, ordinances, or regulations pertaining to the registrant's professional practice.
 - 6. A registrant shall not violate any State or Federal criminal statute involving fraud, misrepresentation, embezzlement, theft, forgery, or breach of fiduciary duty, where the violation is related to the registrant's professional practice.
 - 7. A registrant shall apply the technical knowledge and skill which would be applied by other qualified registrants who practice the same profession; a contemporary "Manual of Surveying Instructions" issued by the Bureau of Land Management, United States Department of Interior and in effect prior to May 23, 1983 to the extent applicable to that professional engagement.
 - 8. A registrant shall not accept an assignment where the duty to a client or the public would conflict with the registrant's personal interest or the interest of another client without full disclosure of all material facts of the conflict to each person who might be related to or affected by the project or engagement in question.

- 9. A registrant shall not accept compensation for services related to the same project or professional engagement for more than one party without making full disclosure to all such parties and obtaining the express written consent of all parties involved.
- 10. Except as provided in Paragraph 11 of this rule, a registrant shall not accept any professional engagement or assignment outside his professional registration unless:
 - a. He is qualified by education, technical knowledge, or experience to perform such work, and
 - b. Such work is both necessary and incidental to the work of his profession on that specific engagement or assignment.

A registered professional engineer may accept professional engagements or assignments in branches of engineering other than that branch in which he has demonstrated proficiency by registration, but only if he has the education, technical knowledge, or experience to perform such engagements or assignments.

- 11. Except as otherwise provided by law, code, ordinance, or regulation, a registrant may act as the prime professional for a given project and select collaborating professionals; however, the registrant shall perform only those professional services for which he is qualified by registration to perform and shall seal and sign only the work prepared by him or by his bona fide employee working under his direct supervision.
- 12. A registrant shall make full disclosure to all parties concerning:
 - a. Any transaction involving payments to any person for the purpose of securing a contract, assignment, or engagement, except for actual and substantial technical assistance in preparing the proposal; or
 - b. Any monetary, financial, or beneficial interest the registrant may hold in a contracting firm or other entity providing goods or services, other than the registrant's professional services, to a project or engagement.
- 13. A registrant shall not solicit, receive, or accept compensation from material, equipment, or other product or services suppliers for specifying or endorsing their products, goods, or services to any client or other person without full written disclosure to all parties.

APPENDIX C

MAG'S KEY DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM REQUIREMENTS FOR CONSULTANT CONTRACTS

MAG'S KEY DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM REQUIREMENTS FOR CONSULTANT CONTRACTS

The Disadvantaged Business Enterprise (DBE) requirements in the Code of Federal Regulations Title 49, Part 26 will apply to this contract. A complete copy of MAG's DBE Program is available by request to Rebecca Kimbrough, DBE Liaison Officer, at 602/254-6300.

The Consultant will agree to ensure that DBEs, as defined in 49 CFR 26, have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this agreement.

DBE Participation Goal and Reporting:

The DBE participation goal for this contract is 11% of the contract award. DBEs used for this contract must be certified by the Arizona Department of Transportation or the City of Phoenix prior to the award of the contract. A list of Certified DBE organizations is available at the Civil Rights Office of the Arizona Department of Transportation or the City of Phoenix.

The Consultant will be required to report monthly on: (1) the utilization of any subcontractors, and (2) any payments made to subcontractors (DBEs and non-DBEs).

Requirement for Proposal:

All firms proposing on this project will be required to include a completed "Proposer's Registration Form" (See Appendix D) with their proposal. In addition, a completed Proposer's Registration Form must be included with the proposal for any subcontractors used on this project.

General Requirements for Proposals and Contract:

All proposers will be required to include the following information in their proposal and contract:

- a. A clear and concise description of the work that each DBE will perform
- b. The dollar amount of the participation of each DBE firm participating
- c. Written documentation of the proposer's commitment to use a DBE subcontractor(s) whose participation it submits to meet a contract goal
- d. If the contract goal is not met, evidence of good faith efforts to meet the goal

Contractor and Subcontractor Assurance:

MAG will incorporate into each contract it signs with a Prime Contractor, and require in each subcontract (that a Prime Contractor signs with a Subcontractor), the following assurance:

"The Contractor, Subrecipient or Subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR 26 in the award and administration of USDOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as MAG deems appropriate."

Prompt Payment Provision:

"The Prime Contractor will pay Subcontractors for satisfactory performance of contracts no later than fourteen (14) calendar days from the date that the Prime Contractor receives payment from MAG. The Prime Contractor will also return retainage payments to the Subcontractor within fourteen (14) calendar days from the date of satisfactory completion of work."

Prime Contractors must:

- Provide the Subcontractor with the name, address and phone number of the person to whom all invoices/billings and statements must be sent.
- Pay Subcontractors and suppliers within fourteen (14) days of receipt of payment from MAG.
- Stipulate the reason(s) in writing to the Subcontractor or supplier <u>and to MAG</u> for not abiding by the prompt payment provision. Possible reasons include:
 - 1. Failure to provide all required documentation
 - 2. Unsatisfactory job performance
 - 3. Disputed work
 - 4. Failure to comply with other material provisions of the contract
 - 5. Third-party claims filed or reasonable evidence that a claim will be filed
 - 6. Reasonable evidence that the contract cannot be completed for the unpaid balance of the contract sum or a reasonable amount for retainage.

Subcontractors must:

- Submit invoices or billing statements to the Prime Contractor's designated contact person in an appropriate format and in a timely manner. The format and the timing of billing statements must be specified in the contract(s) between the Prime Contractor and the Subcontractor(s).
- Notify MAG in writing of any potential violation of the prompt payment provision.

MAG will implement appropriate mechanisms to ensure compliance with the requirements of all program participants. The mechanisms MAG may use include, but are not limited to:

- 1. MAG will notify Subcontractors (DBE and Non-DBEs) of the Prime Contractor's responsibility for prompt payment and encourage Subcontractors to notify MAG in writing with any possible violations to the prompt payment mechanism.
- 2. Withholding payment from Prime Contractors who do not comply with the prompt payment provision noted above, where it has been determined by the MAG DBELO that delay of payment to the Subcontractor is not justified.
- 3. Stopping work on the contract until compliance issues are resolved.
- 4. Terminating the contract.

MAG will verify that the work committed to DBEs, at the time of the contract award, is actually performed by DBEs. This will be accomplished by:

- 1. Requiring Prime Contractors to report Subcontractor(s) (DBE and Non-DBEs) work performed in each monthly progress report along with an indication of the number of hours worked, any costs incurred and the amounts paid to the DBE(s).
- 2. Ensuring that DBE participation is credited toward the overall goal or contract goal(s) only when payments **are actually made** to DBE firms.

APPENDIX D

PROPOSER'S REGISTRATION FORM

PROPOSER'S REGISTRATION FORM

All firms proposing as prime contractors or subcontractors on Maricopa Association of Governments (MAG) projects must be registered. **Please complete this form and return it with your proposal**.

If you have any questions about this registration form, please call (602) 254-6300. A listing of all proposer's for this project will be available on the business day following the submittal deadline.

| GENERAL INFORMATION: | | |
|---|---------------------------------------|--------|
| Name of Firm: | | |
| Street Address: City, State, ZIP | | |
| Mailing Address: City, State, ZIP | | |
| Telephone Number: Fax Number: E-mail address: Web address: Year firm was established: | | |
| Check all that apply: Is this firm a prime consultant? Is this firm a sub-consultant? Is this firm a certified DBE? | Identify speciality: If so, by whom? | |
| FINANCIAL INFORMATION | | |
| Firm's annual gross receipts (average of last 3 ye | rears): | |
| Information will be maintained as confidential to | the extent allowed by federal and sta | te law |
| The undersigned swears that the above in misrepresentation may be grounds for terminatin initiating action under federal and state laws con | ng any contract which may be award | |
| Name, Title | Date | |